



H.R. 1025 - Lower Republican River Basin Study Act

Floor Situation

H.R. 1025 is being considered on the floor under suspension of the rules and will require a two-thirds majority vote for passage. This legislation was introduced by Representative Jerry Moran (R-KA) on February 13, 2007. The bill was referred to the Committee on Natural Resources, but was not considered.

H.R. 1025 is expected to be considered on the floor on April 24, 2007.

**Note: During the 109th Congress, Rep. Tom Osborne (R-NE) introduced similar legislation, H.R. 4750, Lower Republican River Basin Study Act. The legislation was passed by voice vote on September 27, 2006.*

Summary

H.R. 1025 authorizes the Secretary of the Interior to conduct a study to determine if it is feasible to implement a water supply and conservation project in the Republican River Basin located between Harlan County Lake in Nebraska and Milford Lake in Kansas.

In order to determine the feasibility the Secretary will consider the following:

- improving water supply reliability in the Republican River Basin between Harlan County Lake in Nebraska and Milford Lake in Kansas, including areas in the counties of Harlan, Franklin, Webster, and Nuckolls in Nebraska and Jewell, Republic, Cloud, Washington, and Clay in Kansas (in this section referred to as the 'Republican River Basin');
- increasing the capacity of water storage through modifications of existing projects or through new projects that serve areas in the Republican River Basin;
- improving water management efficiency in the Republican River Basin through conservation. As well as evaluate integrated water resource management and supply needs in the Republican River Basin.

Since this legislation effects two states the Secretary will work with the appropriate authorities in both Nebraska and Kansas to ensure that the study is carried out in a fashion agreeable to both states. The federal share of the cost of the study will not exceed 50%.

The authority of the Secretary will sunset 10 years after the enactment of this bill.

Background

In 1943 Colorado, Kansas and Nebraska entered into the Republican River Compact with the approval of Congress. The Compact allows 49% of the water to be used by Nebraska, 40% to Kansas, and 11% to Colorado. In 1998 Kansas filed a complaint with the U.S. Supreme Court alleging that Nebraska was violating the Compact by allowing wells to be connected to the river and its tributaries. The Court found that this did in fact deplete the flow of the river. H.R. 1025 satisfies the Court's requirements that a study be conducted to determine the feasibility of implementing a water supply and conservation project on the Republican River Basin.

Cost

The Congressional Budget Office (CBO) has not scored this legislation. However, H.R. 4750, "Lower Republican River Basin Study Act", introduced in the 109th Congress, was estimated by the CBO to cost approximately \$750,000.

Staff Contact

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